

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Aaron Q. Johnson, *et al.* Examiner: Goodchild, William J.  
Serial No.: 10/800,742 Group Art Unit: 2445  
Filed: March 16, 2004 Confirmation No.: 1162  
Attorney Docket No.: 27683-011  
Title: **SYSTEM AND METHOD FOR ENABLING IDENTIFICATION OF  
NETWORK USERS HAVING SIMILAR INTERESTS AND  
FACILITATING COMMUNICATION BETWEEN THEM**

**MAIL STOP AF**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW ERRONEOUSLY-ISSUED  
NOTICE OF ABANDONMENT UNDER 37 C.F.R. § 1.181(a)**

Sir:

Applicants' hereby submit this non-fee petition pursuant to 37 C.F.R. § 1.181(a) to withdraw the Examiner's holding of abandonment. As explained briefly below, there is no dispute between Applicants and the Examiner that a Notice of Abandonment was erroneously and prematurely issued in the above-identified case and that withdrawal of this Notice is the appropriate course of action.

In response to the September 14, 2010 Final Office Action, Applicants timely filed a Notice of Appeal on March 12, 2010. By filing this Notice, Applicants were accorded seven months, up to and including October 12, 2010, to file an appeal brief or a Request for Continued Examination. On September 28, 2010, the U.S. Patent and Trademark Office ("USPTO") prematurely issued a Notice of Abandonment in the above-identified case, which Applicants' representatives learned of on September 29, 2010 when checking the USPTO's Public Access Information Retrieval system. Applicants' representative immediately contacted the assigned examiner, Examiner William Goodchild, that same day and informed Examiner Goodchild that

Date of Deposit: October 12, 2010

Applicants had until October 12, 2010 to act. Examiner Goodchild agreed and indicated that the Notice of Abandonment had been issued in error.

While Applicants believe there to be no fees due associated with this Petition, the Director is authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. **50-0311**, Ref. No. **27683-011** Customer No. **35437**.

Respectfully submitted,

Dated: October 12, 2010

/Brad M. Scheller/

Brian P. Hopkins, Reg. No. 42,669

Brad M. Scheller, Reg. No. 61,022

MINTZ, LEVIN, COHN, FERRIS,

GLOVSKY and POPEO, P.C.

Chrysler Center

666 Third Avenue, 24<sup>th</sup> Floor

New York, New York 10017

Phone: (212) 935-3000

Telefax: (212) 983-3115

**Customer No. 35437**